

REMARKS

The Office Action dated August 9, 2010 has been received and considered. In this response, claims 11, 18-20, 22, and 24 have been amended. Support for the amendments is found in the specification and drawings as originally filed. Reconsideration of the pending rejections in the present application is respectfully requested based on the following remarks.

Obviousness Rejections of Claims 11-28

At page 4 of the Office Action, claims 11, 12, 15 and 17-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Feldman (U.S. Patent No. 6,393,000) in view of Hanning (U.S. Patent No. 6,981,174). At page 13 of the Office Action, claims 13, 26 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Feldman and Hanning in view of Chauffour (U.S. Patent No. 5,870,397). At page 15 of the Office Action, claims 14 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Feldman and Hanning in view of Wajda (U.S. Patent No. 6,711,584). At page 17 of the Office Action, claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Feldman and Hanning in view of Mito (U.S. Patent App. Pub. No. 2002/0172185).

Independent claim 11 as amended recites the features of “sending a first conversational activity signal from a first terminal of said terminals to a second terminal of said terminals in response to detecting conversational activity **local to the first terminal**; sending a second conversational activity signal from the second terminal to the first terminal in response to detecting conversational activity **local to the second terminal**.” Claim 24 recites similar features. None of the cited references disclose or render these features obvious. In particular, the Office asserts that Feldman teaches detecting conversational activity at different terminals. However, even assuming *arguendo* that Feldman discloses these features, Feldman does not disclose detecting conversational activity local to a first terminal and detecting conversational activity local to a second terminal.

To illustrate, Feldman teaches a technique for sending secondary data when a primary signal is absent or is without information content. *Feldman*, Abstract. In particular, Feldman teaches a communication system comprising a land earth station (LES) 4 and mobile earth

stations (MESs) 6 and 8, whereby the LES 4 transmits a voice communication to the MES 6 and transmits data to the MES 8. *See Feldman*, col. 3, line 7 – col. 4, line 56. In particular, Feldman teaches a technique whereby periods of silence in the voice communication are used as opportunities to send the data to the MES 8. *See Feldman*, FIG. 4. As noted by the Office, this process involves the LES 4 detecting a period of silence and transmitting a “silence code” in response to detecting the period of silence. Assuming, *arguendo*, that this “silence code” constitutes a conversational activity signal indicative local conversational activity, it only indicates conversational activity local to the LES 4. Feldman nowhere discloses a second conversational activity signal that indicates conversational activity local to a second terminal in any manner. In other words, assuming *arguendo* that the MES 8 corresponds to the recited “second terminal”, Feldman nowhere discloses or renders obvious a second conversational activity signal that indicates conversational activity local to the MES 8. The other cited references also fail to disclose or render obvious the above-cited features claim 11. Accordingly, the proposed combinations of Feldman, Hanning, Chauffour, Wajda, and Mito fail to disclose or render obvious at least the above-cited features of claim 11, and the similar features of claim 24.

As discussed above, the proposed combinations of references fail to disclose or render obvious at least one feature of independent claims 11 and 24. The proposed combinations of references therefore fail to disclose or render obvious the combinations of features recited by claims 12-23 and 25-28 at least by virtue of the respective dependencies of these claims. Moreover, these dependent claims recite additional novel and non-obvious features. In view of the foregoing, reconsideration and withdrawal of the obviousness rejections is respectfully requested.

Conclusion

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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